

# **APPENDIX E**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ROSS UNIVERSITY SCHOOL OF  
MEDICINE, LTD.,

**COPY**

Plaintiff,

-against-

Index No.:  
09CIV1410

BROOKLYN QUEENS HEALTH CARE,  
INC., and WYCKOFF HEIGHTS MEDICAL  
CENTER,

Defendants.

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45 Rockefeller Plaza  
11th Floor  
New York, New York

July 1, 2010  
10:12 p.m.

EXAMINATION BEFORE TRIAL of  
JULIUS ROMERO, a representative of the  
Defendants in the above-entitled action,  
taken on behalf of the Plaintiff, held at  
the above time and place, and taken before  
Binita Shrestha, a reporter and Notary  
Public within and for the State of New York.

1 J. ROMERO

2 present when anybody else from the hospital  
3 talked to AUC about that topic?

4 A. Not about the topic.

5 Q. Were you involved in any way in the  
6 exchange of drafts between AUC and the  
7 hospitals for this promissory note as it was  
8 negotiated?

9 A.. Yes.

10 Q. What I would like to talk about is  
11 once the parties get close and then  
12 ultimately agree to a draft, the mechanism  
13 by which it got to Mr. Gio to sign, did  
14 somebody send that to you to give to Mr. Gio  
15 or did that happen elsewhere?

16 A. All drafts were transmitted to  
17 Wyckoff via fax or e-mail. If it's e-mail,  
18 either through my office or Mr. Hoffman's  
19 office.

20 Q. In this case, Exhibit 4, were you  
21 the one that presented it to Mr. Gio to be  
22 signed?

23 A. I don't recall.

24 Q. Mr. Romero, I have handed to you a  
25 document that the court reporter has marked

1 J. ROMERO

2 as Exhibits Number 5, 6, and 7. Number 5 is  
3 entitled Affiliation Agreement between Ross  
4 University School of Medicine and Brooklyn  
5 Queens Health Care. Exhibit 6 is entitled  
6 Amendment to Affiliation Agreement between  
7 Ross University School of Medicine and  
8 Brooklyn Queens Health Care. Exhibit 7 is  
9 the Second Amendment to the Affiliation  
10 Agreement between Ross and Brooklyn Queens  
11 Health Care. Did you work on each of these  
12 agreements in some respect?

13 A. Yes.

14 Q. I would like to direct your  
15 attention to the signature page of  
16 Exhibit 6, that's the amendment. Is that  
17 your signature in the signature block on the  
18 last page?

19 A. Yes.

20 Q. If I could direct your attention to  
21 the signature block in Exhibit 7, on  
22 Exhibit 7 there is a signature block at the  
23 end of the amendment on the page with  
24 identification number BQHC 42915. Is that  
25 you?

1                           **J. ROMERO**

2                           A. Yes.

3                           MR. LOUGHLIN: I don't know if  
4                           you intended it, but Exhibit 7 does  
5                           include, in addition to the second  
6                           amendment, a side letter. I just  
7                           called it to your attention. I  
8                           didn't know whether you wanted it  
9                           included.

10                          Q. Have you signed affiliation  
11                          agreements on behalf of any of the BQHC  
12                          affiliated entities -- strike that.

13                          On behalf of BQHC or any of the  
14                          affiliated entities, have you signed  
15                          affiliation agreements with medical schools  
16                          other than the two we've just looked at?

17                          A. No.

18                          Q. In Exhibit 6, who directed you to  
19                          sign that?

20                          A. To my recollection, it was Mr.  
21                          Singleton.

22                          Q. And in Exhibit 7, who directed you  
23                          to sign the amendment where you signed on  
24                          Exhibit 7?

25                          A. That's correct.

1                           J. ROMERO

2                           **Q. The question was who directed you?**

3                           **A. Thomas Singleton.**

4                           MR. LOUGHLIN: Just so the  
5                           testimony is clear, because there  
6                           may have been a little bit of a  
7                           misunderstanding there, I think the  
8                           testimony was that Mr. Singleton  
9                           instructed Mr. Romero to sign  
10                          Exhibit 6 and Exhibit 7.

11                          **Q. Is that correct?**

12                          **A. That's correct.**

13                          **Q. During the time that Mr. Singleton**  
14                          **was at the hospitals -- and we'll talk about**  
15                          **that in more detail, but let's focus on that**  
16                          **period of time when we're talking**  
17                          **signatures. Now, during the time that Mr.**  
18                          **Singleton was at the hospitals, did he sign**  
19                          **other medical school affiliation agreements**  
20                          **or their amendments?**

21                          **A. None that I can recall.**

22                          **Q. During the time that Mr. Singleton**  
23                          **was at the hospitals, did any of the**  
24                          **hospitals enter into amendment affiliation**  
25                          **agreements for medical student clerkships?**

J. ROMERO

A. Yes.

Q. At the present time, is the only BQHC affiliate that has the capacity to provide clinical clerkship rotations for medical students Wyckoff? I'm talking about today.

A. I'm not certain about your question because BQHC does not exist in my view.

Q. Is the only entity to which you're affiliated -- let me ask you a better question. Does Wyckoff have any other affiliates at which it can place medical students for clinic clerkship rotations?

A. Only within its clinical sites which includes the out-patient clinic that I mentioned.

Q. In those instances, it would be Wyckoff's outpatient clinics?

#### A. Only Wyckoff's.

(Document marked as Romero

Exhibit 23 for identification as  
of this date.)

Q. Mr. Romero, the court reporter has handed to you a document that has been